
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH - CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALBERTO CASTRO-GARCIA,

Defendant.

**MEMORANDUM DECISION AND
ORDER**

Case No: 2:07-cr-243

Judge Dee Benson

Defendant moves the Court for a James hearing to determine the admissibility of statements by alleged co-conspirators under Federal Rule of Evidence 801(d)(2)(E). Based on the government's representation that it will not seek the admission at trial of any coconspirator statements under Rule 801(d)(2)(E), Defendant's motion for a James hearing is denied.

It is so ordered.

DATED this 25th day of June, 2007.



Dee Benson

United States District Judge